

CITY OF ALAMEDA PLANNING BOARD
RESOLUTION NO. PB-11-01
(Revised September 24, 2012)

A RESOLUTION OF THE PLANNING BOARD OF THE CITY OF ALAMEDA APPROVING PLN10-0337 - VARIANCE AND MAJOR DESIGN REVIEW, AT 2216 LINCOLN AVENUE

WHEREAS, an application was made on November 8, 2010, by Housing Consortium of the East Bay, requesting Variance and Major Design Review approval for the construction of a 19-unit affordable housing project on approximately .48 acres; and

WHEREAS, the application was accepted as complete on December 17, 2010; and

WHEREAS, the project site is located within a R-6, Hotel Residential District; and

WHEREAS, Planning Board held a public hearing on this application on January 10, 2011; and

WHEREAS, the Planning Board has made the following finding relative to Design Review:

Projects must be compatible with their site, any adjacent or neighboring buildings or surrounds and promote harmonious transitions in scale and character in areas between different designated land uses. The proposed project meets all zoning standards other than private open space. This infill project has been designed to create a harmonious transition in scale between existing small and large multi-family homes. The height and scale of the project are compatible with buildings in this area. Rooflines are designed to minimize shading on neighboring properties. The buildings are highly articulated and use a combination of materials to further break up wall surfaces. The project blends well with the eclectic mix of traditional and modern styles found on this block. The project, as conditioned, is in conformance with AMC standards and the City Guide to Residential Design.

WHEREAS, the Planning Board has made the following findings relative to the Variance:

1. There are exceptional or extraordinary circumstances applying to the property involved or to the proposed use of this property.

There are extraordinary circumstances in the use of this property that supports the need for a variance. The requested private open space exception will permit the project to be eligible for federal funding that otherwise would not be available to the project. Due to the unique needs of this demographic population, the funding source

will not pay for construction of balconies. As the state of California and the City of Alameda have identified a need for housing to serve residents with developmental disabilities, staff believes that this project rises to the level of an extraordinary or exceptional use of the property. There is a significant amount of common open space located throughout the site to meet the open space needs of the residents.

- 2. Because of such exceptional or extraordinary circumstances, the literal enforcement of specified provisions of this section would result in practical difficulty or unnecessary hardship such as to deprive the applicant of substantial property right possessed by other owners of property in the same class of district.**

The extraordinary circumstances applicable to this use make relief from certain code sections necessary because providing the required private open space would jeopardize the project's construction. The reduction in funding would result in a practical difficulty for the applicant as it would most likely result in the failure of the construction of this unique housing development.

- 3. The granting of the variance will not, under the circumstances of the particular case, be detrimental to the public welfare or injurious to persons or property in the vicinity.**

As proposed, this housing project will add an aesthetically pleasing affordable housing development in the place of an existing under utilized parking lot. It is a complementary design to the surrounding properties in terms of use, height, setback and massing. The loss of balconies will not effect this project's integration into the neighborhood due to the unique needs of the intended resident population.

BE IT RESOLVED THAT, pursuant to CEQA, the City, as the lead agency has undertaken the required analysis of the environmental impacts of this project and based on its independent judgment and based on substantial evidence in the record, the City finds the project to be exempt from CEQA pursuant to California Public Resources Code sections 21159.21, 21159.23 (Exemption for affordable housing) and 21159.24 (Exemption for infill affordable housing), as well as CEQA Guideline section 15332 (Infill development projects). Furthermore, the project does not trigger any of the exceptions in CEQA Guidelines section 15300.2 in that the project will not have any significant effects due to unusual circumstances or any cumulatively significant impacts and will not adversely impact any designated historic resources.

BE IT FURTHER RESOLVED THAT the Planning Board of the City of Alameda hereby approves Variance and Major Design Review, PLN10-0337 for the construction of a 19-unit affordable housing project subject to compliance with the following conditions:

1. Compliance with all applicable local codes. The applicant shall comply with all applicable requirements of the Alameda Municipal Code (AMC), the Uniform Building

Code, and the City of Alameda Standard Plans and Specifications, Standard Subdivision Specifications and Design Criteria, the Master Street Tree Plan, the Bicycle Master Plan, the Pedestrian Master Plan, the Long Range Transit Plan, the Transportation Demand Management and Transportation System Management Plan, and the Multimodal Circulation Plan.

2. Compliance with all applicable regional, state and national codes. The applicant shall obtain all required regional, state, and federal permits. including, but not limited to, the Site Management Plan as approved by the Alameda County Health Department, prior to City approval of the improvement plans or the building permit, whichever comes first. If no building permit is required, the plans must be approved by the Public Works Director or designee prior to establishment of the use. All agency requirements, easements, and conditions for approval of permits associated with the project.
3. Fees required. The applicant shall pay all applicable fees and charges at the required time and at the rate in effect at time of payment in accordance with the current Master Fee Resolution. The applicant shall reimburse the City for review costs for all departments, including inspection and administration, in accordance with the current Master Fee Resolution.
4. Applicant responsible for CEQA document recording costs. The applicant shall pay all fees related to filing of environmental documents for the project with the County Clerk.
5. Agreements must include applicant and property owner. If the applicant is not the owner of the subject property, all agreements required to be executed by the City must be executed by the Owner(s) as well as the Applicant.
6. Conditions Shall be Printed on Plans. The conditions of this Permit shall be printed on the first sheet of each plan set submitted for a building permit. The second sheet may also be used if the first sheet is not of sufficient size to list all of the conditions. The sheet(s) containing the conditions shall be of the same size as those sheets containing the construction drawings; 8-1/2" by 11" sheets are not acceptable.
7. Applicant/Property Owner Responsible for Compliance with Conditions. The applicant/property owner shall ensure compliance with all of the following conditions. Failure to comply with any condition may result in construction being stopped, issuance of a citation, and/or modification or revocation of the Permit.
8. Plans and Representations Become Conditions. Except as expressly specified herein, the site plan, floor plans, building elevations and any additional information or representations submitted by the applicant during the Staff review and public hearing process leading to the approval of this Permit, which indicated the proposed structure or manner of operation are deemed conditions of approval.

9. Fees, dedications and exactions – Limit to Challenge. The conditions of project approval set forth herein include certain fees and other exactions. Pursuant to Government Code Section 66020 (d) (1), these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations and exactions. The applicant is hereby further notified that the 90-day appeal period, in which the applicant may protest these fees and other exactions, pursuant to Government Code Section 66020 (a) has begun. If the applicant fails to file a protest within this 90-day period complying with all requirements of Section 66020, the applicant will be legally barred from later challenging such fees or exactions.
10. Judicial Proceedings – Limit to Challenge. No judicial proceedings subject to review pursuant to California Code of Civil Procedure Section 1094.5 may be prosecuted more than ninety (90) days following the date of this decision plus extensions authorized by California Code of Civil Procedure Section 1094.6.
11. HOLD HARMLESS. The applicant shall defend (with counsel reasonably acceptable to the City), indemnify, and hold harmless the City of Alameda, its Community Improvement Commission, the Housing Authority of the City of Alameda, the Alameda City Planning Board and their respective agents, officers, and employees from any claim, action, or proceeding (including legal costs and attorney's fees) against the City of Alameda, Community Improvement Commission, the Housing Authority, Alameda City Planning Board and their respective agents, officers or employees to attack, set aside, void or annul, an approval by the City of Alameda, the Planning and Building Department, Alameda City Planning Board, Community Improvement Commission, the Housing Authority or City Council relating to this project. The City shall promptly notify the applicant of any claim, action or proceeding and the City shall cooperate in such defense. The City may elect, in its sole discretion, to participate in the defense of said claim, action, or proceeding.

ALAMEDA MUNICIPAL POWER (AMP)

1. The applicant shall comply with AMP's Rules and Regulations as stated in Article X and AMP's "Material and Installation Criteria for Underground Electrical Systems" (both available at www.alamedamp.com) and provide completed "Service Planning Sheets" for AMP's review prior to submitting plans for building permits.
2. The applicant shall provide information on the location of transformers and total load in kilowatts or kilowatt/volts (KVA) to AMP for approval prior to building permit issuance. If necessary, the applicant shall provide (at no charge to AMP) an easement and access to all AMP facilities on the property prior to issuance of building permits.

COMMUNITY DEVELOPMENT DEPARTMENT

1. The project shall be constructed in substantial compliance with the plans prepared by Van Meter Williams Pollack, LLP, date stamped December 17, 2010, consisting of 15 sheets on file in the office of the City of Alameda Community Development Department.
2. This approval shall expire and become void unless actual construction under valid permits has commenced within 24 months after this approval. A one-time extension for an additional 12 months may be granted upon written request.
3. The Final Development Plan shall show details of the following for review and approval by the Community Development Director or designee:
 - a. Final Planting and Irrigation;
 - b. Final window and door details;
 - c. Required roof screening for mechanical and electrical equipment;
 - d. Sample color and material selections; and
 - e. Lighting Plan, including fixtures. The intent is to minimize light trespass from the site and improve nighttime visibility through glare reduction. Fixtures and/or cut-off shields will be specified where appropriate, which mitigate direct view of the site lighting source from the adjacent properties.
4. Building permit plans shall incorporate the approved window schedule.
5. A site inspection to determine compliance with this Design Review Approval is required prior to the final building inspection and/or to the issuance of a Certificate of Occupancy. The applicant shall notify the Community Development Department Director or designee at least four days prior to the requested Planning Inspection dates.
6. The Community Development Director or designee may require the submittal of exterior material samples and such other additional information as may be required to ensure compliance with the design review approval.
7. Any additional exterior changes shall be submitted to the Community Development Department Director or designee for review and approval prior to construction.
8. Construction Noise. The applicant shall provide the project planner with the name and telephone number of the individual empowered to manage construction noise from the project. The individual's name, telephone number, and responsibility for noise management shall be posted at the project site for the duration of construction in a location easily visible to the public. The individual shall record all noise complaints

received and actions taken in response, and submit this record to the project planner on a weekly basis.

9. Once a Permit for a use is exercised and the use is established, that use is legally recognized, even if the property becomes vacant. Exercise of a permit is defined as:
 - a. A permit for the use of a building or a property is exercised when, if required, a valid City business license has been issued, and the permitted use has commenced on the property; or
 - b. A permit for the construction of a building or structure is deemed exercised when a valid City building permit, if required, is issued, and construction has lawfully commenced.
 - c. A permit may be declared lapsed and of no further force and effect if it is not exercised within two years of its issuance, except that permits for construction or alteration of structures or buildings may not be declared lapsed if the permittee has (1) applied for a building permit or (2) made substantial good faith efforts to obtain a building permit, even if a building permit has not been issued and/or construction has not begun.
10. The Planning Board and/or City Council shall have the authority to modify or revoke this entitlement upon finding that the maintenance or operation of the proposed establishment violates any of these conditions or is detrimental to persons residing or working in the neighborhood, to property and improvements in the neighborhood or to the general welfare of the City.
11. Conditions of Approval Available. A copy of these conditions shall be maintained on the premises and made available upon the demand of any peace officer or other authorized City official.
12. All on-site landscape plans and all plans for ornamental uses of water must meet the following requirements; unless otherwise exempted.
 - a. Plant Selection. At least ninety (90%) percent of the plants selected in non-turf areas shall be well-suited to the climate of the region and require minimal water once established. Exceptions to this requirement may be granted in situations where non-potable private well water is being used for irrigation purposes.
 - b. Turf and "Water Area" Limitations.
 - i. The combined turf and/or "water area" (i.e., pools, ponds and fountains) shall be limited to twenty-five (25%) percent of the irrigated area or five hundred (500) square feet, whichever is greater.
 - ii. All turf areas shall be planted with predominantly drought tolerant turf grasses. All ornamental uses of water in the common areas of a development project,

such as ponds, lakes, and fountains, shall be supplied, operated, and maintained with alternative sources of water if they are available.

- iii. The soil shall be conditioned to ensure Irrigation Efficiency. Please see Project Planner for specific requirements.
- iv. Final Landscape Installation. All outstanding landscape installation requirements shall be completed prior to Certificate of Occupancy.

13. Design Modifications.

The applicant shall continue to work with City of Alameda staff to further refine design of the stair tower and elevator shaft elements. Changes shall be submitted to the Community Development Department Director or designee for review and approval prior to construction.

14. Electrical Equipment.

New electrical vault shall be screened from public view with landscaping or a barrier in conformance with standards established by AMP. The design for the screening material shall be submitted to the Community Development Department Director or designee for review and approval prior to construction.

15. Neighbor Notice of Construction.

At least two weeks prior to initiating any construction activities at the site, the applicant shall provide notice to businesses and residents within 500 feet of the project site including (1) project description, (2) description of construction activities, (3) daily construction schedule (i.e., time of day) and expected duration (number of months), (4) the name and phone number of the Noise Management Individual for the project, (5) commitment to notify neighbors at least four days in advance of authorized extended work hours and the reason for extended hours, and (6) that construction work is about to commence. A copy of such notice and methodology for distributing the notice shall be provided in five (5) business days in advance to the City for review and approval.

16. Construction Activity.

- a. Construction activity shall be limited to between the hours of 7:00 a.m. and 7:00 p.m. on Monday through Friday, and between 8:00 a.m. and 5:00 pm on Saturday, unless a permit is first secured from the City Manager or designee based upon a showing of significant financial hardship. No construction-related activity shall occur on Sunday or on any Federal Holiday.

- b. Equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., improved mufflers, equipment re-design, use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds) wherever feasible and necessary. No construction activity that may cause excessive off-site vibration or noise from heavy machinery such as pile drivers, drilling rigs (except as necessary for elevator, shoring, and soil testing), etc. shall be allowed.
- c. Impact tools (e.g., jack hammers, pavement breakers and noise drills) used for project construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to 10dB. External jackets on the tools themselves shall be used where feasible. Quieter procedures shall be used such as drilling rather than impact equipment whenever feasible. Muffler systems shall be properly maintained.
- d. Noisy stationary construction equipment, such as compressors, shall be placed away from developed areas off-site and/or provided with acoustical shielding.
- e. Grading and construction equipment shall be shut down when not in use.

17. Verification of Building Height.

The height and location of the proposed structure, property lines and spot elevations shall be verified by a licensed surveyor or engineer on site after foundation forms are placed, but before pouring concrete or placing construction material in its permanent position. This verification shall be to the satisfaction of the Project Planner.

18. Underground Utilities.

Accidental damage. If underground utilities leading to adjacent properties are uncovered and/or broken, the contractor involved shall immediately notify the Community Development Department, and carry out any necessary corrective action to its satisfaction.

19. All Outstanding Fees.

Any outstanding fees or improvements to be triggered by Final Inspection or Certificate of Occupancy.

20. Mechanical Equipment.

Any noise-making mechanical equipment located on the ground, which generates noise exceeding ambient noise levels (prior to installation of the equipment) at the common property line with adjacent residential, shall be enclosed in a sound blocking enclosure

meeting the standards established by the Alameda Municipal Code for noise. The sound blocking enclosure must be built to the following minimum standards:

- a. The barrier can be any thickness so long as its weight is 4 lbs/ft² or greater.
 - b. The barrier must be nonporous, with a solid door.
 - c. The barrier must enclose the equipment on all sides. The building wall may serve as one or more of the sides.
 - d. The wall height should be a minimum of three feet (3') greater than the tallest piece of equipment.
21. There shall be no outdoor storage unless approved by the Community Development Director or designee, and any outdoor storage permitted shall be temporary for in-transit materials and not within the public right-of-way.
22. All Time and Material charges for this application shall be paid in full prior to the approval of Building Permits for the Project.

Green Conditions of Approval

1. Any Project funded by Public and/or Public/Private Partnerships in excess of \$100,000.00 shall meet the minimum standards and practices stated by the Bay Friendly Landscaping Requirements Program. The metrics of this standard are identified by a Landscape Scorecard. Please see Project Planner for details.
2. The City of Alameda has adopted the State of California Green Building Code. All new projects are to consider a minimum Green Point Rating. Please see Project Planner for details.

FIRE DEPARTMENT

1. Prior to issuance of the building permit(s), the applicant shall show the location of fire hydrant spacing on all sides of the project.

PUBLIC WORKS

Traffic and Transportation

1. The applicant shall comply with all applicable policies and requirements of the current approved transportation plans, including the Bicycle Master Plan, the Pedestrian Master Plan, the Long Range Transit Plan, the Transportation Demand Management and Transportation System Management Plan, and the Multimodal Circulation Plan.
2. Applicant shall replace any damaged curb, gutter, and sidewalk along street frontages

in accordance with the Public Works Department's Standard Plans and Specifications prior to acceptance of the project.

3. During non-working hours, open trenches shall be covered with steel plates or temporary cutback and provided with appropriate signage, flashers, and barricades as approved by the Public Works Director or designee, to warn oncoming motorists, bicyclists, and pedestrians of potential safety concerns.
4. At least three weeks prior to the commencement of work within the public right-of-way that affects access for pedestrian, bicyclist, and vehicular traffic, the applicant shall provide a Traffic Control Plan (TCP) to the Public Works Department for review and approval. The TCP shall be prepared in accordance with the California MUTCD standards by a registered civil engineer or traffic engineer, licensed in the State of California. The engineer shall stamp the plans as approved. Constructed work may not commence until the TCP is approved by the Public Works Director or designee.
5. Any vehicular, transit, bicyclist, and pedestrian access through and/or adjacent to the project site shall remain unobstructed during project construction or an ADA compliant alternative route established as approved by the Public Works Director or designee. At locations where adequate alternate access cannot be provided, appropriate signs and barricades shall be installed at locations determined by the Public Works Director and Police Chief. Should transit routes be affected, developer is required to receive prior approval from AC Transit of any proposed traffic detours or temporary closure of bus stops.
6. The applicant shall submit a traffic striping and signage plan for all on- and off-site improvements. The plans shall be reviewed and approved by the Public Works Director or designee prior to approval of the improvements plans or the building permit, whichever comes first. If no building permit is required, the plans must be approved by the Public Works Director or designee prior to establishment of the use.
7. Pedestrian and vehicular lighting at all intersections and project driveways shall meet Alameda Municipal Power standards for crosswalks, sidewalks, and intersections.
8. **Bicycle parking rack location shall be shown and provided at a minimum of nine (9) bicycle parking spaces. Location and type to be approved by Public Works.**

~~9. In the parking lot, the following spaces shall be reserved and signage provided to instruct all users: one parking space for the property manager; three parking spaces for tenants of the housing project; and one handicapped space. This assignment of parking spaces will be a permanent legal restriction, in a form acceptable to the Public Works Director, prior to the issuance of a building permit and be enforced by the Housing Authority or delegated to the property manager. The Housing Authority, or property manager, if so~~

~~delegated, will be responsible for ensuring that no more than four tenants with automobile ownership will occupy the development at all times and that the prohibition of automobile ownership for all remaining tenants will be included as an enforceable provision in the leasing agreement signed by the tenants. The Housing Authority, or property manager, if so delegated, will be required to provide the Community Development Department with an annual report confirming that this condition is being correctly enforced. At a minimum, the report shall identify the units allowed to have automobile ownership and assigned an on-site parking space, as well as documentation that a prohibition of automobile ownership is included in the rental/lease agreements for all remaining units.~~

~~10.9.~~ To encourage the use of alternative transportation modes, the Applicant shall provide all tenants with information regarding transit and paratransit options available in the City upon occupancy of the development by a tenant and annually thereafter.

~~11.10.~~ Prior to the issuance of a Building Permit, the parking lot shall be modified to ensure that all vehicles entering the site have an ability to safely turn around and exit the site facing forward. The ADA accessible aisle shall not be used as a turn around zone for vehicles. Large vehicles shall be prohibited from using the parking lot for loading and unloading. Under no circumstances shall vehicles be allowed to back-out onto Lincoln Avenue.

Engineering

1. The applicant shall submit construction improvement plans for all on- and off-site improvements, including detailed designs for all wet and dry utilities, landscaping and irrigation, water, grading, drainage, erosion control, paving and solid waste storage and recycling areas. The plans shall be prepared and signed by a registered civil engineer licensed in the State of California, unless the Public Works Director authorizes them to be prepared by some other qualified professional, and be in accordance with the AMC, the City of Alameda Standard Plans and Specifications, Standard Subdivision Specifications and Design Criteria, and the Master Street Tree Plan. The plans shall be reviewed and approved by the Public Works Director or designee prior to approval of the improvements plans or the building permit, whichever comes first. If no building permit is required, the plans must be approved by the Public Works Director or designee prior to establishment of the use.
2. The landscape and irrigation plans shall be prepared and signed by a licensed landscape architect and shall be in accordance with the City's Bay Friendly Landscaping requirements, the Master Street Tree Plan, the AMC, conditions of approval of the subdivision by Planning Board, and other regional jurisdictions requirements, as applicable. Final landscape plans should ensure that all landscaping and bioswales are compatible with the stormwater treatment measures, designed to minimize irrigation and runoff, promote surface infiltration where appropriate, and

minimize the use of fertilizers and pesticides that can contribute to storm water pollution. As appropriate, integrated pest management (IPM) principles and techniques shall be incorporated into the landscaping design and specifications. Where feasible, landscaping shall be designed and operated to treat storm water runoff by incorporating elements that collect, detain and infiltrate runoff. Plant placement within the site landscape design shall not interfere with the design function of any of the stormwater treatment measures. For example, trees planted in or near a biotreatment swale shall not adversely interfere with the design flow of the swale. The plans shall be reviewed and approved by the Public Works Director or designee prior to approval of the improvements plans or the building permit, whichever comes first. If no building permit is required, the plans must be approved by the Public Works Director or designee prior to establishment of the use. The landscaped architect shall also assume responsibility for inspection of the work and shall certify to the City, prior to acceptance of the work, that the installation of landscaping and irrigation was constructed in accordance with the approved plans.

3. To guarantee completion of the required on-site and off-site improvements, the Developer shall enter into an agreement with the City and provide a security in a form and amount acceptable to the City prior to approval of the improvements plans or the building permit, whichever comes first. If no building permit is required, the plans must be approved by the Public Works Director or designee prior to establishment of the use.
4. All required public frontage and street improvements shall be designed, built, and dedicated to the City in accordance with City ordinances and Public Works Department standards. Unless waived by the Public Works Director, street improvements shall include curbs, gutters, sidewalks, street trees, landscaping and irrigation, streetlights, etc.
5. All new utilities shall be placed underground prior to issuance of an occupancy permit, including a temporary occupancy permit. In addition, when approval of a tentative subdivision/parcel map is required, all existing utilities within the project shall be placed underground in accordance with the AMC, prior to acceptance of the project.
6. Applicant shall resurface the existing street pavement whenever a street is cut, either by a longitudinal or transverse cut, for utility or other improvement installations so the street is restored to pre-project conditions. The resurfacing shall extend a sufficient distance beyond any cut to ensure a smooth transition and shall consist of either a 1-1/2 inch asphalt concrete overlay, or petromat with a minimum 1 inch asphalt concrete overlay, depending upon the extent of the proposed pavement cuts and the condition of the existing pavement section, as determined by the Public Works Director or designee. Developer shall also provide digouts and reconstruction of any potholed and/or alligatored areas adjacent to the project.

7. Any retaining walls, which are adjacent to a property line, shall be masonry, metal or concrete. Wood retaining walls shall not be installed adjacent to property lines.
8. Installation of street paving shall include reconstruction of the existing pavement section to provide adequate conforms. The limits of such reconstruction shall be reviewed and approved by the Public Works Director as part of the construction plan review.
9. Wet Weather Construction Limits.

Prior to any excavation, grading, clearing, or other activities involving soil disturbance during the rainy season (between October 15 and April 15), the applicant shall obtain approval of an erosion prevention plan by the Public Works Department. Practices shall include but are not limited to:

 - a. All piles of debris, soil, sand, or other loose materials shall be covered at night and during rainy weather with plastic at least one-eighth millimeter thick and secured to the ground
 - b. All active construction areas shall be watered at least twice daily, and all piles of debris, soil, sand or other loose materials shall be watered or covered.
 - c. Trucks hauling debris, soil, sand, or other loose materials shall be covered or required to maintain at least two feet of board.
 - d. Public streets shall be swept (preferably with water sweepers) of all visible soil material carried from the site.
10. Site-related construction activities shall not occur during periods of high wind.
11. During construction, the applicant shall ensure that construction crews undertake a program of dust control including, but not limited to, watering soil surfaces as needed to prevent dust blowing, covering trucks carrying materials to and from the site, and frequent clean-up of soil carried by construction vehicle tires from the site onto roadways. No City water shall be used for this purpose.
12. All project related grading, trenching, backfilling, and compaction shall be conducted in accordance with City of Alameda standards and specifications.
13. Hydroseeding of all disturbed areas shall be completed by October 1st. Developer shall provide sufficient maintenance and irrigation to ensure growth is established by November.
14. Prior to trenching within existing street areas, the developer's engineer shall ascertain the location of all underground utility systems and shall design any proposed subsurface utility extensions to avoid disrupting the services of such system.
15. New street trees shall maintain clearances from utilities shall be as follow: a) Fire hydrant – 6 feet; b) top of driveway wing – 5'; c) stop signs – 15'; d) street/pathway

lights and utility poles – 25'; e) storm drain, sanitary mains, gas, water, telephone, electrical lines – 5'; f) front of electrical pad-mounted equipment – 10'. Verify minimum clearance distances of street trees/shrubs from electrical transformers with AMP.

16. Approved backflow prevention devices shall be installed on all new and existing domestic, commercial, irrigation and fire water services and as required by the East Bay Municipal Utility District (EBMUD). These devices must be tested by an AWWA certified tester from a list of testers provided by EBMUD.
17. Costs for inspection by the Public Works construction inspectors during non-working hours shall be at time and one half. Work on Saturday's requiring inspection shall not be done unless approved in advance by the City Engineer. No work allowed on Sundays. Any work done without inspection may be rejected at the contractor's expense.

Stormwater, Wastewater and Water

1. Prior to issuance of building permits, the developer shall secure all necessary permit approvals from EBMUD regarding the installation of all water or sewer service connections for the project. Accumulated wastewater must be drained to the sanitary sewer or pretreated prior to discharge to storm drain systems.
2. For any project that results in the addition of or improvement to 10,000 square feet or more of impervious surfaces, the developer shall submit a plan showing storm water treatment measure(s) required to be constructed to meet the hydraulic sizing design criteria indicated in the C.3.d provisions of the City of Alameda's municipal NPDES storm water permit as part of the improvement plans for the project. As part of the final improvement plan submittal, the developer shall submit a stamped, signed certification from a qualified independent civil engineer, licensed in the State of California, and working for a firm included on the Bay Area Stormwater Management Agencies Association (BASMAA) list of Qualified Post-Construction Consultants for stormwater treatment facility design that indicates that the treatment measure design meets the established sizing design criteria for stormwater treatment measures prior to approval of the improvements plans, grading permit, or building permit, whichever comes first. If no building permit is required, the plans must be approved by the Public Works Director or designee prior to establishment of the use.
3. Fire sprinkler system test water discharges shall be directed to onsite vegetated areas.
4. The applicant shall submit a Storm Water Pollution Prevention Plan (SWPPP) as part of the improvement plan submittal. The SWPPP shall be reviewed and accepted by the Public Works Director or designee. Upon City's acceptance of the plan, developer shall submit, in digital format, the SWPPP and other required permit registration documents

to the SWRCB's SMARTS website and provide the Public Works Director or designee with documentation of the submittal prior to approval of a grading permit.

5. The developer of any construction project resulting in the potential for soils, construction materials and fluids, waste, and trash to blow or wash into a storm drain, gutter or street shall be responsible for ensuring that during any construction activity all contractors and sub-contractors install and regularly maintain erosion control measures and perform Best Management Practices (BMP) as described in the Alameda Countywide Clean Water Program brochures the San Francisco Bay Regional Water Quality Control Board's Erosion and Sediment Control Field Manual and the California Stormwater Quality Association's Stormwater Best Management Practice, to minimize to the maximum extent practicable, any pollutants entering directly or indirectly the storm water system. The developer shall pay for any required cleanup, testing, and City administrative costs resulting from consequence of construction materials entering the storm water system.
6. All new storm drain inlets shall be clearly marked with the words "No Dumping! Drains to Bay" or equivalent, as approved by the Public Works Director or designee.

Integrated Waste Management

1. Design of all external enclosures for solid waste, recycling and organics shall be approved by the Public Works Director or designee prior to approval of the improvements plans, or the building permit, whichever comes first. If no building permit is required, the plans must be approved by the Public Works Director or designee prior to establishment of the use. These facilities are to be designed to prevent water run-on to the area, runoff from the area, and to contain litter, trash and other pollutants, so that these materials are not dispersed by the wind or discharged to the storm drain system. External enclosures are to be roofed and/or enclosed and have a minimum floor area of 96 square feet for buildings 10,001 – 25,000 square feet in size and 192 square feet for buildings 25,001 – 50,000 square feet in size. Any enclosures containing food waste shall have floor drains connected to the sanitary sewer system. If the enclosures are attached to buildings that shall have fire sprinklers. Internal collection and storage area(s) and the individual bins and containers provided, shall be adequate in capacity, number and distribution to serve the anticipated demand for trash, recycling and organics as determined by the Public Works Director or designee.
2. Prior to issuance of a grading, demolition, or building permit, whichever comes first, developer is required to obtain a construction and demolition permit approved by the Public Works Director in accordance with AMC Section 21-21.
3. During the construction/demolition/renovation period of the project, developer shall use the City's franchised hauler to remove all wastes generated during the project development.

HOUSING AUTHORITY

1. Prior to issuance of building permits for the first housing unit, the project applicant shall execute an Affordable Housing Agreement with the Community Improvement Commission/City Council in conformance with the requirements of Section 30-16 Inclusionary Housing Requirements for Residential Projects.

NOTICE. No judicial proceedings subject to review pursuant to California Code of Civil Procedure Section 1094.5 may be prosecuted more than ninety (90) days following the date of this decision plus extensions authorized by California Code of Civil Procedure Section 1094.6

The decision of the Planning Board shall be final unless appealed to the City Council, in writing and within ten (10) days of the decision, by filing with the Planning and Building Department a written notice of appeal stating the basis of appeal and paying the required fees.

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